

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
)
W. R. GRACE & CO., *et al.*,¹) Case No. 01-01139 (JKF)
) Jointly Administered
Debtors.)

**NOTICE OF AGENDA OF MATTERS
SCHEDULED FOR HEARING ON OCTOBER 24, 2005,
AT 12:00 P.M. BEFORE THE HONORABLE JUDITH K. FITZGERALD**

**PARTIES WISHING TO PARTICIPATE TELEPHONICALLY SHOULD COMPLY
WITH THE AMENDED ORDER ESTABLISHING CASE MANAGEMENT PROCEDURES
AND HEARING SCHEDULE [Docket No. 7709]**

CONTINUED MATTERS:

1. Debtors' Motion for an Order Approving the Settlement Agreement with Intercat, Inc.
[Filed: 7/25/05] (Docket No. 9062)

¹ The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co.-Conn., A-I Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circe Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., G C Limited Partners I, Inc. (f/k/a Grace Cocoa Limited Partners I, Inc.), G C Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc., E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

Related Documents:

- a. [Proposed] Order Approving the Settlement Agreement with Intercat, Inc. [Filed: 7/25/05] (Docket No. 9062)

Response Deadline: August 12, 2005, at 4:00 p.m. (*extended until August 16, 2005, at 4:00 p.m. for the General Unsecured Creditors Committee and the PD Committee*)

Responses Received:

- a. Objection of the Official Committee of Unsecured Creditors to the Debtors' Motion for an Order Approving the Settlement Agreement with Intercat, Inc. [Filed: 8/16/05] (Docket No. 9194)

Status: The parties have agreed to continue this matter to November 14, 2005 at 12:00.

CONTESTED MATTERS:

- 2. Motion of State of Montana for Relief from the Automatic Stay [Filed: 6/9/05] (Docket No. 8582)

Related Documents:

- a. [Proposed] Order [Filed: 6/9/05] (Docket No. 8582)
- b. Notice of Filing of Supplement to Exhibit "A" to the Motion of State of Montana for Relief from the Automatic Stay [Filed: 6/23/05] (Docket No. 8672)

Response Deadline: June 28, 2005, at 4:00 p.m.

Responses Received:

- a. Opposition of the Official Committee of Unsecured Creditors to the Motion of the State of Montana for Relief from the Automatic Stay [Filed: 6/28/05] (Docket No. 8705)
- b. Objection of the Official Committee of Asbestos Property Damage Claimants to the Motion of the State of Montana for Relief from the Automatic Stay [Filed: 6/28/05] (Docket No. 8707)
- c. Debtors' Objection to the Motion of the State of Montana for Relief from the Automatic Stay [Filed: 6/28/05] (Docket No. 8708)

- d. Joinder of the Official Committee of Asbestos Personal Injury Claimants in the Debtors' Objection to the Motion of the State of Montana for Relief from the Automatic Stay [Filed: 6/29/05] (Docket No. 8747)

Status: This matter will be going forward.

- 3. Debtors' Motion to Expand Their Preliminary Injunction to Include Actions Against the State of Montana [Filed: 8/22/05] (Adv. Pro. No. 01-771, Docket No. 359)

Related Documents:

- a. [Proposed] Order Expanding the Preliminary Injunction to Include Actions Against the State of Montana [Filed: 8/22/05] (Adv. Pro. No.: 01-771, Docket No. 359)

Response Deadline: September 9, 2005 at 4:00 p.m. (extended to October 7, 2005, for the State of Montana and the Montana claimants)

Responses Received:

- a. Joinder of the Official Committee of Unsecured Creditors in the Debtors' Motion to Expand Their Preliminary Injunction to Include Actions Against the State of Montana [Filed: 9/9/05] (Docket No. 361)
- b. Response to Debtors' Motion to Expand Preliminary Injunction to Include Actions Against the State of Montana [Filed: 10/5/05] (Docket No. 362)
- c. Opposition of Libby Claimants to Debtors' Motion to Expand the Preliminary Injunction to Include Actions Against the State of Montana [Filed: 10/7/05] (Docket No. 363)
- d. Joinder of the Official Committee of Asbestos Personal Injury Claimants in the Opposition of Libby Claimants to Debtors' Motion to Expand the Preliminary Injunction to Include Actions Against the State of Montana [Filed: 10/7/05] (Docket No. 365)

Replies Received:

- a. **Debtors' Motion for Leave to File a Reply in Further Support of Their Motion to Expand Preliminary Injunction to Include Actions Against the State of Montana [Filed: 10/14/05] (Adv. Pro. No. 01-771, Docket No. 367)**

(i) Debtors' Reply in Support of Their Motion to Expand Preliminary Injunction to Include Actions Against the State of Montana [Filed: 10/14/05] (Adv. Pro. No. 01-771, Exhibit 1 to Docket No. 367)

Status: This matter will be going forward.

4. Plaintiffs' Motion for Leave to Amend Complaint [Filed: 8/22/05] (Adv. Pro. No. 01-771, Docket No. 360)

Related Documents:

- a. [Proposed] Order Granting Plaintiffs' Motion for Leave to Amend Complaint [Filed: 8/22/05] (Adv. Pro. No. 01-771, Docket No. 360)

Response Deadline: September 9, 2005 at 4:00 p.m. (extended to October 7, 2005, for the State of Montana and the Montana claimants)

Responses Received:

- a. Limited Opposition of Libby Claimants to Debtors' Motion for Leave to Amend Complaint [Filed: 10/7/05] (Docket No. 364)

Status: This matter will be going forward.

PRE-TRIAL CONFERENCE AND MOTION FOR PRELIMINARY INJUNCTION

5. Pretrial Conference for W. R. Grace & Co., et al., v. Bradley M. Campbell, Commissioner of the New Jersey Department of Environmental Protection [Filed: 9/19/05] (Adv. Pro. No. 05-52724)

Related Documents:

- a. Complaint for Declaratory and Injunctive Relief [Filed: 9/19/05] (Adv. Pro. No. 05-52724, Docket No. 1)
- b. Summons and Notice of Scheduling Conference in an Adversary Proceeding [Filed: 9/19/05] (Adv. Pro. No. 05-52724, Docket No. 2)

Response Deadline: October 7, 2005 at 4:00 p.m.

Responses Received:

- a. **Defendants' Motion to Dismiss Debtors' Complaint for Declaratory and Injunctive Relief and in Opposition to Debtors' Motion for an Injunction [Filed: 10/7/05] (Docket No. TBD)**

Status: This matter has been continued until November 14, 2005 at 12:00 p.m.

6. Debtors' Motion for an Injunction Under Sections 105 and 362 of the Bankruptcy Code [Filed: 9/19/05] (Adv. Pro. No. 05-52724, Docket No. 3)

Related Documents:

- a. [Proposed] Injunction Order [Filed: 9/19/05] (Adv. Pro. No. 05-52724, Docket No. 3)

Response Deadline: October 7, 2005 at 4:00 p.m.

Responses Received: None as of the date of this Notice of Agenda.

Status: This matter has been continued until November 14, 2005 at 12:00 p.m.

CLAIMS OBJECTIONS:

7. Debtors' Fifth Omnibus Objection to Claims (Substantive) [Filed: 05/05/04] (Docket No. 5527)

Response Deadline: June 4, 2004, at 4:00 p.m.

Responses Received: Unresolved Responses to this matter are listed on the attached Exhibit A.

Status: To the extent any remaining disputed claims are resolved prior to the hearing, the Debtors will present an order regarding the same at the hearing. A hearing on all unresolved disputed claims will be continued to the omnibus hearing on November 14, 2005, at 12:00 p.m.

8. Debtors' Eighth Omnibus Objection to Claims (Substantive) [Filed: 01/12/05] (Docket No. 7545)

Response Deadline: February 11, 2005, extended to February 25, 2005, at 4:00 p.m.

Responses Received: Unresolved Responses to this matter are listed on the attached Exhibit B.

Status: To the extent any remaining disputed claims are resolved prior to the hearing, the Debtors will present an order regarding the same at the hearing. A hearing on all unresolved disputed claims will be continued to the omnibus hearing on November 14, 2005, at 12:00 p.m.

9. Debtors' Eleventh Omnibus Objection to Claims (Non-Asbestos Gateway) [Filed: 5/18/05] (Docket No. 8466)

Response Deadline: June 10, 2005, at 4:00 p.m.

Responses Received: Unresolved Responses to this matter are listed on the attached Exhibit C.

Status: To the extent any remaining disputed claims are resolved prior to the hearing, the Debtors will present an order regarding the same at the hearing. A hearing on all other unresolved disputed claims will be continued to the omnibus hearing on November 14, 2005, at 12:00 p.m.

10. Debtors' Fourteenth Omnibus Objection to Claims (Non-Substantive) [Filed: 9/1/05] (Docket No. 9314)

Related Documents:

- a. [Proposed] Order Granting the Relief Sought in Debtors' Fourteenth Omnibus Objection to Claims (Non-Substantive) [Filed: 9/1/05] (Docket No. 9314)

Response Deadline: October 7, 2005 at 4:00 p.m.

Responses Received: Responses to this matter are listed on the status chart attached to the Debtors' Status Report and Reply with respect to the Fourteenth Omnibus Objection to Claims, (Docket No. 9659) listed below.

Replies Received:

- a. **Debtors' Motion for Leave to File a Status Report and Reply with Respect to the Fourteenth Omnibus Objection to Claims (Non-Substantive) [Filed: 9/14/05] (Docket No. 9659)**
- (i) **Debtors' Status Report and Reply with Respect to the Fourteenth Omnibus Objection to Claims (Non-Substantive) [Filed: 10/17/05] (Docket No. 9659, Exhibit A)**

Status: This matter will be going forward.

MATTERS RELATING TO ASBESTOS PI CLAIMS

11. Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 9/9/05] (Docket No. 9382)

Related Documents:

- a. Debtors' Motion For Leave From This Court's November 5, 2004 Scheduling Order and to Shorten Notice Period of Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 9/9/05] (Docket No. 9383)
- b. [Signed] Order Setting Status Conference [Filed: 9/16/05] (Docket No. 9444)

Proposed Response Deadline: September 21, 2005, at 12:00 p.m.

Responses Received to Docket No. 9383:

- a. Reaud, Morgan & Quinn, Inc.'s Response In Opposition to Debtors' Motion (i) for Leave from November 5, 2004, Scheduling Order, and (ii) to Shorten Notice Period of Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 9/14/05] (Docket No. 9423)
- b. Baron & Budd, P.C.'s Response in Opposition to Debtors' Motion (i) for Leave From November 5, 2004, Scheduling Order, and (ii) to Shorten Notice Period of Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 9/14/05] (Docket No. 9424)
- c. Silber Pearlman LLP's Response in Opposition to Debtors' Motion (i) for Leave From November 5, 2004, Scheduling Order, and (ii) to Shorten Notice Period of Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 9/14/05] (Docket No. 9426)
- d. Objection of the Official Committee of Asbestos Personal Injury Claimants to the Debtors' Motion for Leave From This Court's November 5, 2004 Scheduling Order and to Shorten Notice Period of Debtors' Emergency Motion for Leave to Take Discovery of Claimant's Attorneys [Filed: 9/21/05] (Docket No. 9480)

Responses Received to Docket No. 9382:

- a. Objection to Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 9/21/05] (Docket No. 9476)
- b. Chris Parks, P.C.'s Response to Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 9/21/05] (Docket No. 9477)

- (i.) [Proposed] Order Denying Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 9/21/05] (Docket No. 9477)
- c. O' Quinn, Laminack & Pirtle's Response in Opposition to Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 10/7/05] (Docket No. 9601)
- d. Response and Objection of Reaud, Morgan & Quinn, Inc. in Opposition to Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 10/7/05] (Docket No. 9604)
- e. Response of Baron & Budd, PC in Opposition to Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 10/7/05] (Docket No. 9605)
- f. Response of Silber Pearlman, LLP in Opposition to Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 10/7/05] (Docket No. 9606)
- g. Response of Certain Law Firms to Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 10/7/05] (Docket No. 9609)
- h. Opposition of the Official Committee of Asbestos Personal Injury Claimants to Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 10/7/05] (Docket No. 9610)
- i. **Joinder in Responses and Objections in Opposition to Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys [Filed: 10/17/05] (Docket No. 9661)**

Status: This matter will go forward as a status conference.

- 12. Certain Insurers' Motion for Access to Exhibits to 2019 Statements [Filed: 9/6/05] (Docket No. 9341)

Related Documents:

- a. [Proposed] Order Granting Access to Exhibits to Statements Pursuant to Fed. R. Bankr. P. 2019 [Filed: 9/6/05] (Docket No. 9341)
- b. **[Proposed] Certain Insurers Order Clarifying Scope of Personal Injury Asbestos Claims Estimation [Filed: TBD] (Docket No. TBD)**

Response Deadline: September 16, 2005 at 4:00 p.m.

Responses Received:

- a. Maryland Casualty Company's Joinder in Certain Insurers Motion for Access to 2019 Statements [Filed: 9/16/05] (Docket No. 9441)
- b. Baron & Budd P.C.'s and Silber Pearlman LLP's Response in Opposition to Certain Insurers' Motion for Access to Exhibits to 2019 Statements [Filed: 9/16/05] (Docket No. 9443)
- c. Reaud, Morgan & Quinn, Inc.'s and Environmental Litigation Group's Response in Opposition to Certain Insurers' Motion for Access to Exhibits to 2019 Statements [Filed: 9/16/05] (Docket No. 9445)
- d. Objection of the Official Committee of Asbestos Personal Injury Claimants to the Certain Insurers' Motion for Access to Exhibits to 2019 Statements [Filed: 9/16/05] (Docket No. 9449)

Status: The Court ruled on this matter on September 26, 2005 subject to the parties submitting an order. This matter is included for status purposes.

- 13. Motion of Reaud, Morgan, & Quinn, Inc. and Environmental Litigation Group, P.C. for (i) Clarification, or (ii) Alternatively, for Modification, of Case Management Order for the Estimation of Personal Injury Liabilities [Filed: 9/19/05] (Docket No. 9457)

Related Documents:

- a. [Proposed] Order Granting Motion of Reaud, Morgan & Quinn, Inc. and Environmental Litigation Group, P.C. for Clarification of Case Management Order [Filed: 9/19/05] (Docket No. 9457)

Response Deadline: October 7, 2005 at 4:00 p.m.

Responses Received:

- a. The Debtors' Opposition to Motion of Reaud, Morgan & Quinn, Inc. and Environmental Litigation Group, P.C. for (I) Clarification, or (II) Alternatively, for Modification of Case Management Order [Filed: 10/10/05] (Docket No. 9612) (Back dated filing requested)

Status: This matter will be going forward.

MATTERS RELATING TO ASBESTOS PD CLAIMS - STATUS CONFERENCE

14. Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims [Filed: 9/1/05] (Docket No. 9315)

Related Documents:

- a. [Signed] Order [Filed: 9/30/05] (Docket No. 9540)

Response Deadline: October 7, 2005 at 4:00 p.m. *(extended by the Court until October 24, 2005 at 4:00 p.m.)*

Responses Received: ²

- a. Letter filed by Claimant William R. Wittenberg [Filed: 9/19/05] (Docket No. 9472)
- b. **Affidavit of William R. Wittenberg [Filed: TBD] [Filed:TBD]**

Status: A status conference on this matter will be going forward.

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² Mr. Wittenberg's response is included at the direction of the Court for purposes of this hearing. Other responses to the Debtors' Fifteenth Omnibus Objection (Substantive) to Asbestos Property Damage Claims will be provided to the Court in connection with the hearing on this matter scheduled for November 14, 2005.

STATUS CONFERENCE ON ZAI SCIENCE ISSUES

15. Status Conference on ZAI Science Issues


Status: This matter is under advisement with the Court and will be going forward as a status on ruling as directed by the Court.

Dated: October 17, 2005

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EXHIBIT A

W.R. Grace
Responses Received to Debtors' Fifth Omnibus Objection to Claims

Creditor Filing Response	Docket No. of Response	Claim No(s) Affected	Filed Claim Amount	Class	Basis for Objection	Relief Requested	Status
Pearson, Peter P.	5637	2281	\$741,600.00	U	No Liability	Expunge	Continue to the January 30, 2006 Omnibus Hearing.
City of Cambridge, Massachusetts	None	4720	\$14,829,000.00	U	No Liability	Expunge	Continue to the November 14, 2005 Omnibus Hearing.
City of Cambridge, Massachusetts	None	4722	\$14,829,000.00	U	No Liability	Expunge	Continue to the November 14, 2005 Omnibus Hearing.
Massachusetts Bay Transportation Authority	None	9693	Unliquidated	U	No Liability, Unliquidated	Expunge	Continue to the November 14, 2005 Omnibus Hearing.

W.R. Grace
Responses Received to Debtors' Fifth Omnibus Objection to Claims

Creditor Filing Response	Docket No. of Response	Claim No. (s) Affected	Filed Claim Amount	Class	Basis for Objection	Relief Requested	Status
Perini Corporation	None	4704	Unliquidated	U	No Liability, Unliquidated	Expunge	Continue to the November 14, 2005 Omnibus Hearing.
CHL Administration, Inc.	5708 (through 5713)	851	Unliquidated	U	No Liability; Unliquidated	Expunge	Continue to the November 14, 2005 Omnibus Hearing.
Archer, David	5795	602	\$1,541,849.60	U	No Liability	Expunge	Continue to the November 14, 2005 Omnibus Hearing.
Archer, Michelle	5796	604	\$1,910,100.00	U	No Liability	Expunge	Continue to the November 14, 2005 Omnibus Hearing.

EXHIBIT B

W.R. Grace Co., Inc.
Responses to the Debtors' Eighth Omnibus Objection to Proofs of Claim

Creditor Filing Response	Docket No. of Response	Claim No.(s) Affected	Filed Claim Amount	Class	Basis for Objection	Relief Requested	Status
National Union	None	9553	\$46,971,746.00	S	Duplicate of Claim No. 9554	Expunge	Continue to the November 14, 2005 Omnibus Hearing.

EXHIBIT C

W. R. Grace
Responses Received to Debtors' Eleventh Omnibus Objection to Claims

Creditor Filing Response	Docket No. of Response	Claim No(s) Affected	Filed Claim Amount	Class	Basis for Objection	Relief Requested	Status
Sierra Capital (Sanders Roofing Co Inc.)	8588	639	\$3,384.90	U	Insufficient Documentation	Expunge	Objection sustained.
Receivable Management Services (Iron Mountain Records Management Inc.)	8609	339	\$7,026.79	U	Insufficient Documentation	Expunge	Reduce and allow general unsecured non-priority claim in the amount of \$1,761.96.
Office Depot	None	444	\$5,282.77	U	Insufficient Documentation	Expunge	Parties entered into stipulation reducing and allowing general unsecured non-priority claim in the amount of \$2,641.34.